

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Beer et al.

Application No.: 10/590,765

Confirmation No.: 2504

Filed: August 24, 2006

Art Unit: 1795

For: **OXIDIZABLE SPECIES AS AN INTERNAL
REFERENCE FOR BIOSENSORS AND
METHOD OF USE**

Examiner: Surekha Vathyam

THIRD INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents – via EFS
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Commissioner:

Pursuant to 37 CFR §§ 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached Form PTO-1449. It is respectfully requested that the information be expressly considered during the prosecution of this application and that the references be made of record therein and appear among the “References Cited” on any patent to issue therefrom.

In accordance with 37 CFR § 1.98(d), any necessary copies are submitted herewith. However, in accordance with the October 12, 2004 OG Notice, copies of the U.S. patent and U.S. published application references are no longer required and, thus, are not enclosed.

In accordance with 37 CFR § 1.97(g), the filing of this Third Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR § 1.56(a) exists. In accordance with 37 CFR § 1.97(h), the filing of this Third Information Disclosure Statement shall not be construed to be an admission that any patent, publication or other information referred to therein is or is considered to be “prior art” with respect to the present application or material to patentability as defined in 37 CFR § 1.56.

This Third Information Disclosure Statement is being filed with a Request for Continued Examination requesting an examination on the merits. Therefore, no fees are due in connection with the filing of this Third Information Disclosure Statement. Should any other fees be deemed necessary (except payment of the issue fee), the Commissioner is hereby authorized to charge any deficiency or to credit any overpayment to Nixon Peabody Deposit Account No. 50-4181 under Order No. 247082-000168USPX.

Dated: November 5, 2010

Respectfully submitted,

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